



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # _____
MCPB 5/17/07

MEMORANDUM

DATE: May 4, 2007

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Acting Supervisor *RAL*
Development Review Division

FROM: Joshua C. Sloan, ASLA *JCS*
Development Review Division
(301) 495-4597

REVIEW TYPE: Site Plan Review

CASE #: 820070080

PROJECT NAME: Quince Trace

APPLYING FOR: Approval of 45 townhouses including six Moderately Priced Dwelling Units on 6.09 acres.

REVIEW BASIS: Div. 59-C-1.75 of the Montgomery County Zoning Ordinance

ZONE: RT-8

LOCATION: On Darnestown Road (MD 28), 2,800 feet east of Quince Orchard Road.

MASTER PLAN: Potomac Subregion

APPLICANT: Winchester Homes

FILING DATE: November 17, 2006

HEARING DATE: May 17, 2007



STAFF RECOMMENDATION: Approval of 45 townhouses, including six Moderately Priced Dwelling Units (MPDUs), on 6.09 acres. All site development elements as shown on the site and landscape plans stamped "Site Plan for Planning Board Hearing" on April 24, 2007 will be required except as modified by the following conditions:

1. Development Plan Conformance

The proposed development must comply with the binding elements listed in the Zoning Map Amendment G-839 and associated Schematic Development Plan (*Appendices E & F*).

- a. Building setbacks to the adjacent Pleasant View Historic Site must be a minimum of 40 feet.
- b. Building setbacks to adjacent Lots 17, 47, 48, and 49 in the Quince Orchard Knolls subdivision must be a minimum of 60 feet and the Applicant must create the required Forest Conservation Easement within the setback as shown on the Schematic Development Plan.
- c. Vehicular access to the site is limited to Darnestown Road (MD 28).
- d. All townhouse units, including MPDUs, must have front brick façades.
- e. The Applicant must maintain the Forest Conservation Easement Area for a five-year period from the date of planting in accordance with the Montgomery County Forest Conservation requirements.
- f. The Applicant must maintain the existing fence between the subject property and adjacent Lots 17, 47, 48, and 49 within the Quince Orchard Knolls Subdivision until formation of the Homeowners Association (HOA) for the subject property. Following formation of the HOA and conveyance of the forest conservation parcel to the HOA, the HOA shall be responsible for maintaining said fence. Maintenance of the fence is subject to permission and approval of the lot owners adjacent to such fence.

2. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan 120070270 as approved by the Planning Board on March 8, 2007.

3. Lighting

The applicant must ensure that each of the following conditions are met:

- a. Deflectors must be installed on all fixtures causing potential glare or excess illumination on the adjacent properties.
- b. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties.
- c. The height of the light poles must not exceed 12 feet including the mounting base.

4. Moderately Priced Dwelling Units (MPDUs)

The proposed development shall provide six MPDUs on-site in accordance with the appended comments from the Department of Housing and Community Affairs (DHCA) dated March 5, 2007 (*Appendix A*) as follows, unless modified by DHCA.

- a. Single-family MPDUs must have at least three bedrooms.
- b. The staging requirements of Chapter 25A-5(i) must be followed including the construction of MPDUs in each of the first townhouse sticks built.
- c. Floorplans and elevations of the MPDUs must be submitted to DHCA.
- d. The Applicant must obtain an agreement pertaining to the construction and staging of MPDUs from DHCA prior to issuance of any building permits.

5. Recreation Facilities

- a. The Applicant must ensure that the proposed recreation facilities are constructed in conformance with the approved MNCPPC Recreation Guidelines.
- b. The Applicant must provide, at a minimum, the following recreation facilities: four sitting areas, a tot lot, and an accessible pedestrian system.

6. Transportation

The applicant must comply with the following conditions of approval from the Maryland Department of Transportation State Highway Administration (SHA) in the memorandum dated March 2, 2007 (*Appendix B*) unless amended and approved by SHA.

- a. The existing right-turn lane to Ambiance Way must be extended 250' beyond and west of the proposed MD 28 entrance. This deceleration/right-turn lane must be 12' wide with a 4' wide bicycle pocket lane. SHA will require submission of a separate pavement marking plan.
- b. Relocation of the existing sidewalk and grass panel along MD 28 is needed to accommodate the MD 28 improvements.
- c. The applicant must submit hydrologic and hydraulic computations that account for the required MD 28 improvements.
- d. All proposed and required work within MD 28 rights-of-way are subject to the terms and conditions of an access permit, which must be received from SHA.

7. Forest Conservation

The applicant must comply with the following conditions of approval from MNCPPC Environmental Planning in the memorandum dated April 24, 2007 (*Appendix C*).

- a. The proposed development must comply with the conditions of the Final Forest Conservation Plan.
- b. The applicant must ensure that all planting areas and areas of the Critical Root Zone protection being used towards forest conservation credit are placed into a Category I Conservation Easement.
- c. The applicant must submit a cost estimate for the creation of the proposed Category I Conservation Easement and proffer financial security to MNCPPC prior to clearing and grading.
- d. The applicant must ensure that the required site inspections by MNCPPC enforcement staff are completed per Section 110 of the Forest Conservation Regulations.
- e. The applicant must submit a maintenance and management agreement to be reviewed and approved by MNCPPC staff prior to the first inspection of the afforestation areas.

8. Stormwater Management

The proposed development is subject to the Stormwater Management Concept approval conditions dated February 1, 2006 unless amended and approved by the Montgomery County Department of Permitting Services (*Appendix D*).

9. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to MNCPPC staff

prior to issuance of the 30th building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

10. Development Program

The Applicant must construct the proposed development in accordance with a Development Program. The Development Program must be reviewed and approved by M-NCPPC staff prior to approval of the Certified Site Plan. The Development Program must include a phasing schedule as follows:

- a. Street tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
- b. Community-wide pedestrian pathways and recreation facilities including the tot lot and seating areas must be completed prior to issuance of the 30th building permit.
- c. Landscaping associated with each parking area and building must be completed within six months after completion.
- d. Clearing and grading must correspond to the construction phasing, to minimize soil erosion.
- e. Phasing of dedications, off-site road improvements, storm water management, sediment/erosion control, or other features.

11. Clearing and Grading

Applicant must ensure that there is no clearing or grading of the subject site prior to MNCPPC approval of the Certified Site Plan.

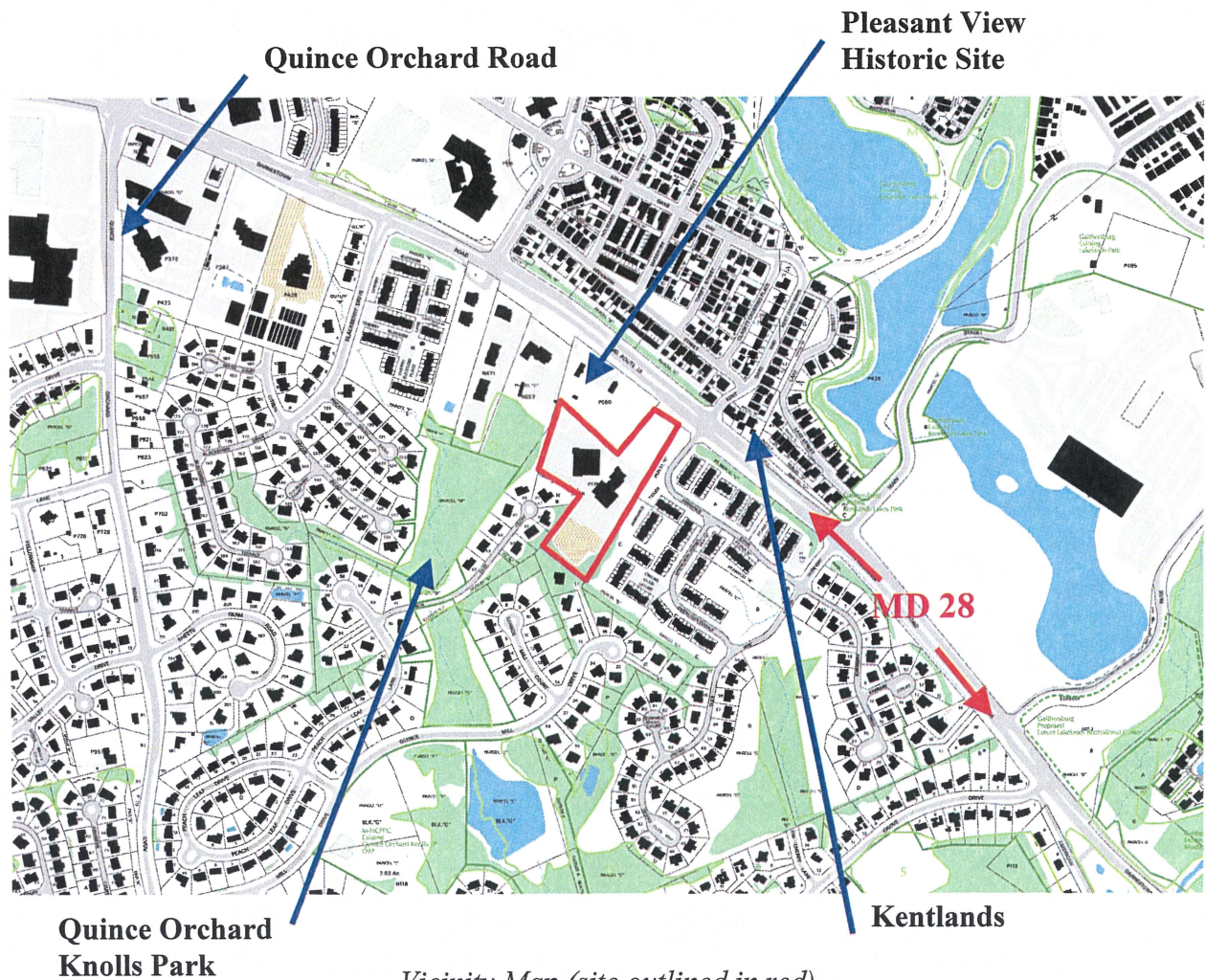
12. Certified Site Plan

Prior to approval of the Certified Site Plan, the following revisions must be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Resolution.
- b. Revised limits of disturbance to include all SHA required work on MD 28.
- c. Methods and locations of tree protection.
- d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- e. Details of the Forest Conservation Easement split-rail fence.
- f. Detailed cut-sheets of all lighting fixtures.
- g. Modify note 1.0 of the Planting Specifications to read, "Substitution shall not be made without the written approval of the Landscape Architect and in accordance with the "Approved Substitutions List" as delineated on the planting plan. The "Approved Substitutions List" may provide two or three similar plant species for each plant on the Planting Plan, use of which will not require a Site Plan Amendment.
- h. Relocate the handicap access ramp along the southern side of the entry driveway from in front of Lot 8 to the front of Lot 9 between the driveways on Lots 8 and 9.
- i. Approval from SHA for proposed improvements on MD 28.
- j. Enhanced landscaping and/or fence detail between subject property and property to the southeast.

PROJECT DESCRIPTION: Site Vicinity

The subject property is located on Darnestown Road (MD 28), approximately 2,800 feet east of Quince Orchard Road. The Kentlands development is directly across MD 28; the subdivision to the east is zoned PD-3 and is developed with townhouses; development to the south and southwest is one-family detached housing in R-200 and R-200/TDR zones. The adjacent property, tucked into the northwest corner, is the historic Pleasant View Historic Site, which includes the Mount of Olives Church, formerly known as the Pleasant View Methodist Episcopal Church (built circa 1914), the Quince Orchard School (built circa 1975), and a cemetery. Directly west is a forested area and parking lot that serves the Prince of Peace Lutheran Church. Quince Orchard Knolls Park, which is associated with part of the Muddy Branch stream valley, is located to the west, but is not directly adjacent to the site.



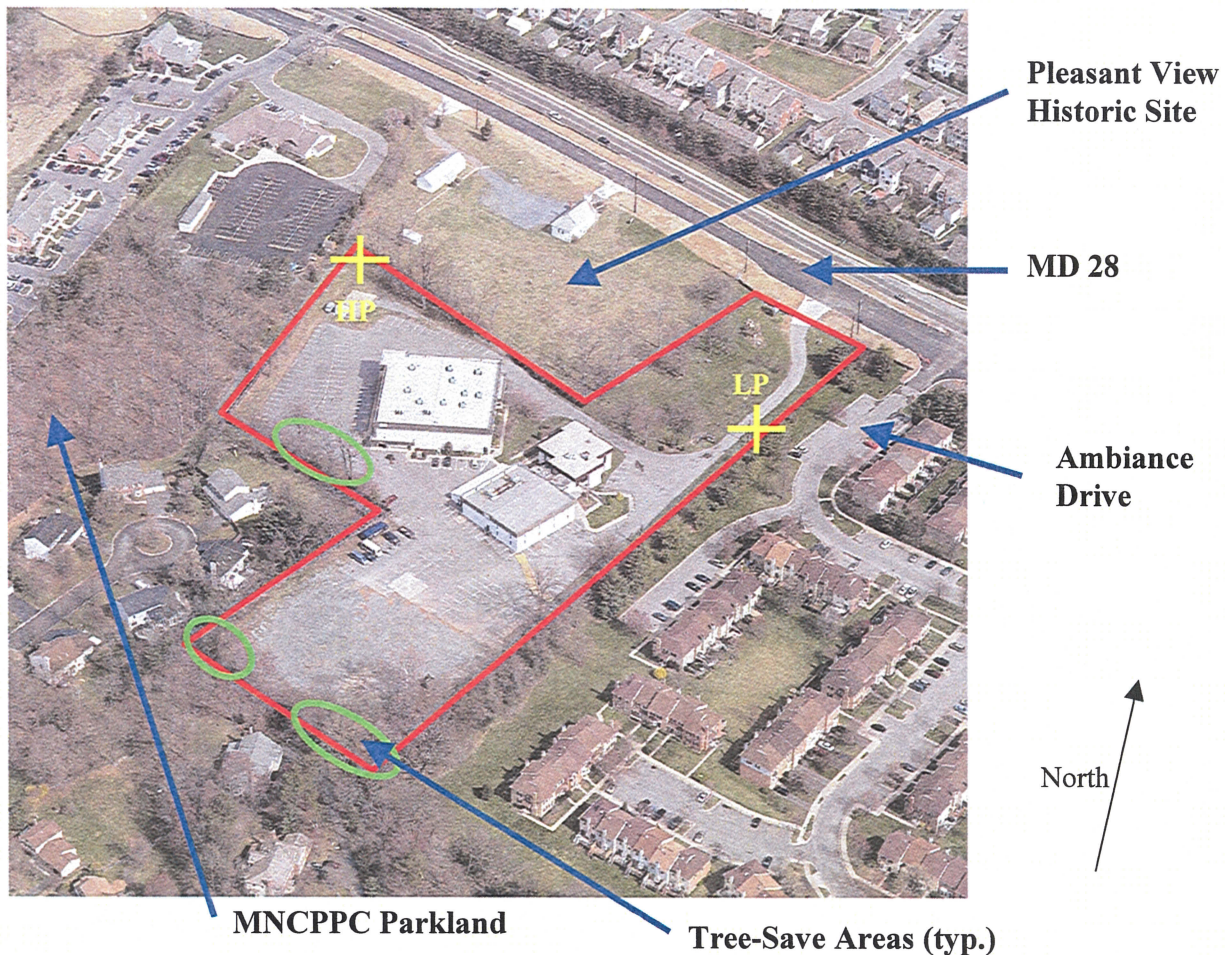
PROJECT DESCRIPTION: Site Description

The subject property consists of two recorded parcels totaling 6.09 acres in the RT-8 Zone. The recently approved preliminary plan subdivided the property into 45 townhouse lots, a storm water management parcel, homeowners' association parcels, and a forest conservation easement parcel.



View of site looking south-southwest.

Surface parking lots, driveways, and two large church buildings for the Christian Life Center currently cover most of the site. There is some landscaping near the existing driveway access and there are some larger trees along the southern edges of the property that will be saved in the forest conservation easement. The high point of the existing topography is in the northern corner near the Prince of Peace parking lot and the site slopes gently to the east/southeast and then more steeply towards the adjacent townhouse development along the eastern property line; the lowest point is on the southeastern property line near MD 28. The existing buildings and associated parking lots and driveways will all be completely removed.

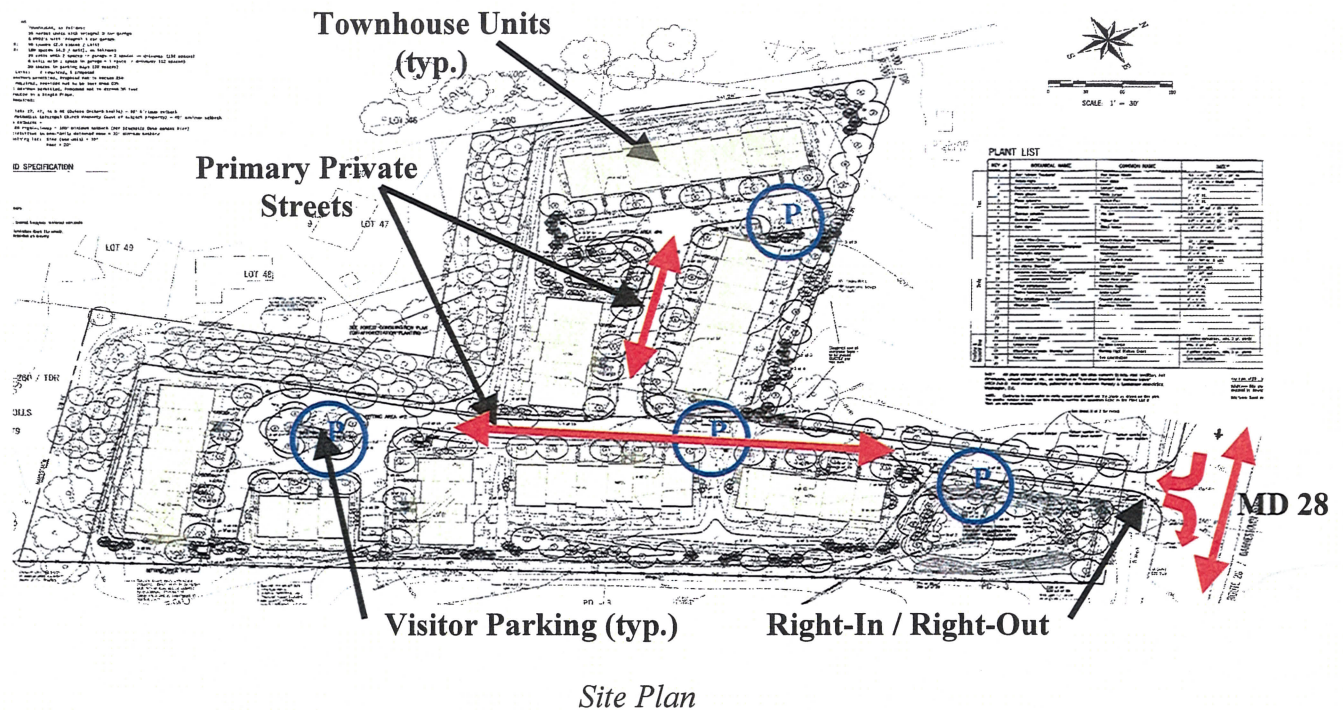


Aerial View of Site

PROJECT DESCRIPTION: Proposal

Forty-five townhouse units, including six MPDUs, arranged in eight sticks ranging from three to eight units each are proposed on the subject property. There is also a 1.02-acre Category One Conservation Easement proposed with significant perimeter landscape buffering. A storm water management facility with a heavily planted perimeter is proposed on site near the MD 28 frontage. Internal private roads in a rough “T” shape provide access to all of the townhouses.

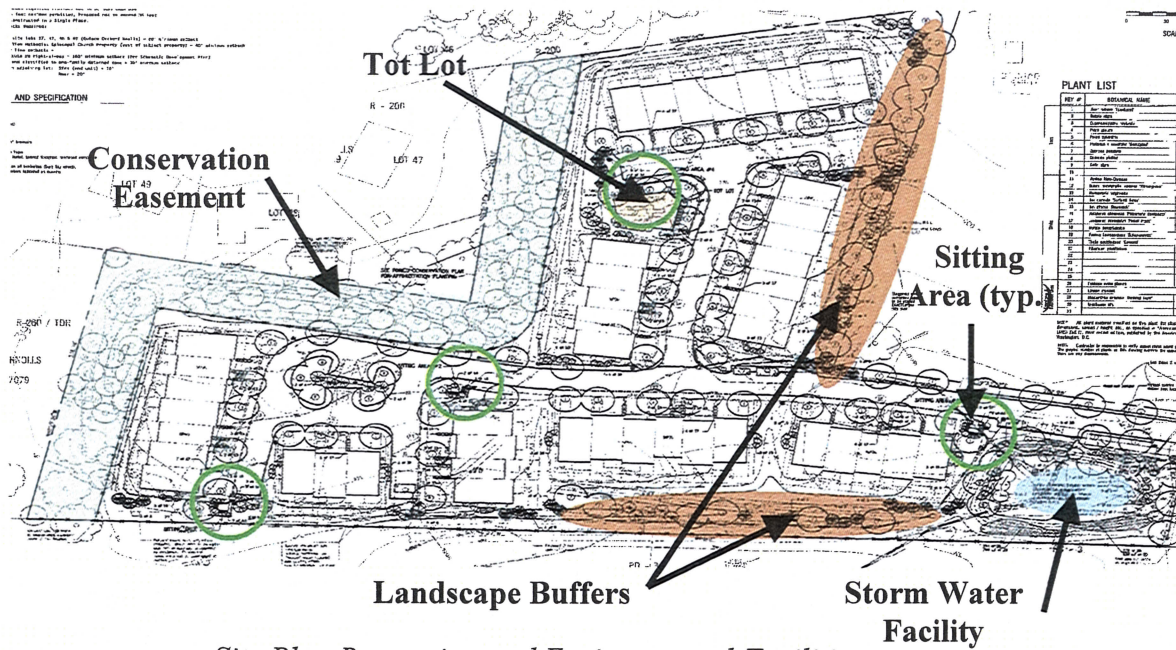
The proposed access is a right-in/right out 20-foot private road, off MD 28, approximately 125 feet west of Ambiance Drive, the entry to the adjacent subdivision. Residents and visitors who wish to travel west on MD 28 when leaving the site will have to drive east along MD 28 to the intersection of Ambiance Drive and MD 28 and make a U-turn; there is a left turn lane on MD 28 at this point. There is parallel parking and perpendicular parking along sections of the interior road as well as parking provided in the driveways and garages of each of the townhouses; the market rate units have two-car garages, the MPDUs have one-car garages. In all, there are 188 parking spaces proposed (inclusive of the garage and driveway spaces) – well above the 90 spaces required.



Because of the subject site's proximity to the Pleasant View Historic Site, significant landscaping, including evergreen and ornamental trees, is proposed along the property line between the townhouse units and the Church Property. This screening will provide the proper backdrop for the church and cemetery. A similar, but less dense, planting treatment buffers the adjacent townhouse development to the east. The interior of the site is landscaped with street trees, foundation plantings for each of the units, and plantings around the tot lot and sitting areas. Due to site constraints, the only area that could be used for the necessary storm water management pond is at the corner of the entry drive and MD 28. Because of its high visibility, this area will be heavily planted with trees, evergreen shrubs, and flowers to help soften the view from adjacent and confronting properties and MD 28.

In accordance with the approved Schematic Development Plan, there is a proposed Category One Forest Conservation Easement along the southwestern edges of the property – adjacent to the single-family residential areas. This easement contains tree save areas to protect some existing larger trees; the remaining area will be replanted according to the approved Final Forest Conservation Plan. Existing six-foot privacy fences along the property line and a split-rail fence along the interior edge of the easement will protect the conservation area. Another split rail fence runs down the eastern edge of the property line to deter people from parking in the adjacent development and walking to the proposed townhouses.

Four sitting areas spread throughout the site are proposed, including one adjacent to a tot lot being provided for neighborhood children. A system of sidewalks along the fronts of all of the townhouses and out to MD 28 connects the sitting areas, townhouses, and tot lot. Ornamental fencing is proposed at each of the sitting areas, between the tot lot and the closest private street, along MD 28, and elsewhere within the site. A proposed community sign and ornamental plantings are situated on a north-facing angle at the intersection of the entry drive and MD 28.



Site Plan Recreation and Environmental Facilities

PROJECT DESCRIPTION: Prior Approvals

Appendices:

- E. Schematic Development Plan
- F. Zoning Application G-839 Opinion
- G. Preliminary Plan

Zoning/Development Plan

The subject property was rezoned from the R-200/TDR & R-200 Zones to the RT-8 Zone by Local Map Amendment G-839 on July 18, 2006. The associated Schematic Development Plan (SDP) established several binding elements and conditions of development on the proposed subdivision.

Development Standards Approved as Binding Elements:

- Maximum Density: 7.4 units per acre (45 units)¹
- Building Setbacks:
 - 60 feet from adjacent Lots 17, 47, 48, and 49²
 - 160 feet from any public street³

¹ 45 units inclusive of 12.5% MPDUs.

² Footnote A: A building setback no less than 60 feet to be provided along the southwest property lines abutting adjoining Lots 17, 47, 48, and 49 in the Quince Orchard Knolls subdivision. Applicant shall place the required forest conservation easement within the setback as shown to further buffer existing single family homes on Lots 17, 47, 48, and 49. Footnote B: Minimum proposed building setback from Pleasant View Methodist Episcopal Church Property to be 40 feet.

- 10 feet from any adjoining lot to any end unit side
- 25 feet from any adjoining lot to any rear
- Building Height: 30 feet⁴
- MPDUs: 12.5% (6 total MPDUs)

Non-Illustrative Binding Elements established by the Schematic Development Plan:

- a. Applicant agrees to a Binding Element that at Site Plan, vehicular access to be limited to Darnestown Road, MD Route 28.
- b. Applicant agrees to a Binding Element that at Site Plan, all units, including MPDUs, to have brick front facades.
- c. Applicant agrees to a Binding Element that the Applicant will maintain the Forest Conservation Easement Area for a five-year period, from the date of planting, in accordance with the Montgomery County Forest Conservation requirements.
- d. Applicant agrees to a Binding Element that the fence adjoining Lots 17, 47, 48, and 49 within the Quince Orchard Knolls Subdivision will be maintained by the Applicant until formation of the Homeowners Association (HOA) for the property. Following formation of the HOA and conveyance of the forest conservation parcel to the HOA, the HOA shall be responsible for maintaining said fence. Maintenance of the fence is subject to permission and approval for the lot owners adjacent to such fence.

Preliminary Plan

Preliminary Plan 120070270 was heard and approved by the Planning Board on March 8, 2007. The proposed development in the subject site plan is identical in the number of units, road layout, setbacks, storm water management facilities, and conservation easement area as the approved preliminary plan. The approval is limited to 45 townhouse units, including 6 MPDUs, on 6.09 acres in the RT-8 zone.

ANALYSIS: Conformance to Development Standards

As shown in the following data table, the proposed development meets both the requirements of the RT-8 zone and the Binding Elements of Zoning Application G-839. Two changes to the proposed development from the time of the approval of the SDP to the final submittal of the Site Plan have been made:

1. Decrease in building coverage from 25% to 23%.
2. Decrease in the total number of parking spaces from 191 to 188.

Both of these development standards continue to conform the development standards of the RT-8 zone.

³ Specifically, "160 feet from Darnestown Road".

⁴ Measured from the individual building measurement points on the driveway in front of each unit.

Project Data Table (RT-8 Zone)

Development Standard	Permitted by the RT-8 Zone	Approved with Binding Elements	Proposed with Site Plan
Minimum Tract Area (acres)	0.46 (20,000 sq.ft.)	n/a	6.09 (265,280.4 sq.ft.)
Maximum Density(units/acre) (for development including MPDUs)	9.76 (59 units)	7.4 (45 units)	7.4 (45 units)
Building Setbacks (feet)			
From any detached dwelling lot or land classified in a one-family detached residential zone.	30	30	30
From any public street	25	160	160
From an adjoining lot:			
Side (end unit)	10	10	10
Rear	20	25	25
Maximum Building Height (feet)	35	35	35
Maximum Building Coverage (%)	35 ⁵	n/a	23
Minimum Green Area (%)	50 ⁶	n/a	60
Parking Spaces (spaces/unit)	2.0	n/a	4.2
Visitor (total spaces)	n/a	n/a	18
Garage (total spaces)	n/a	n/a	84
Driveway (total spaces)	n/a	n/a	84
Total Parking Spaces	90	n/a	188
MPDUs (total units)	6	6 (12.5%)	6 (12.5%)

⁵ Because the proposed development includes MPDUs in accordance with the requirements of chapter 25A, the building coverage percentage may be increased to 40% (59-C-1.74 (c)).

⁶ Because the proposed development includes MPDUs in accordance with the requirements of chapter 25A, the green area may be reduced to 45% and the row design requirements of section 59-C-1.7222 may be waived (59-C-1.74(d)).

RECREATION CALCULATIONS

	Tots	Children	Teens	Adults	Seniors
Demand Points					
<u>Townhouse Units (45)</u>	<u>7.7</u>	<u>9.9</u>	<u>8.1</u>	<u>58.0</u>	<u>3.2</u>
Supply Points (On-Site)					
Sitting Area (4)	4.0	4.0	6.0	20.0	8.0
Tot Lot (1)	9.0	2.0	0.0	4.0	1.0
<u>Pedestrian System</u>	<u>0.8</u>	<u>2.0</u>	<u>1.6</u>	<u>26.1</u>	<u>1.4</u>
<u>Total Supply Points</u>	<u>13.8</u>	<u>8.0</u>	<u>7.3</u>	<u>50.1</u>	<u>11.4</u>
 % of demand met on-site	 200	 110	 100	 96	 393

The proposed recreation facilities provide a minimum of 96% (and up to 393%) of the required demand for each of the population categories. The threshold for meeting the adequacy-test for recreation facilities for subdivisions with less than 50 units – the proposed development is for 45 townhouses – are as follows.

1. The supply values may be within 20% of the demand values for each population category so long as they are within 10% for the total population.
2. The reviewer may consider adjustments to setback requirements in order to meet the adequacy.

The proposed development exceeds the demand values for all but one population category, viz., adults, and is within 10% of the required demand for that age group. Although the tot lot is only 20 feet from the curb, planting and fencing is used to achieve the necessary compatibility and ensure safety for children according to the requirements of the Recreation Guidelines.

MPDU CALCULATION

The residential density of the proposed development is capped by the binding elements of the Schematic Development Plan at 45 townhouse units, including a minimum of 12.5% MPDUs: $45 \times .125 = 5.625$. The subject site plan provides 6 MPDUs as required dispersed throughout five of the eight townhouse sticks.

ANALYSIS: Site Plan

Conformance to Master Plan

The subject property is not specifically mentioned in the Potomac Subregion Master Plan but the proposed development is in an area of the North Potomac Community Area that is dominated by R-200 zoning with areas of R-200/TDR and PD-3 Zones. The proposed development is in conformance with the general land-use recommendation of “single family residential” in this area. This fact, in concert with the proposed reduction in impervious area and proposed landscape screening along the property line shared by the adjacent historic site,

satisfies staff that the subject site plan complies with the vision of the Potomac Subregion Master Plan.

Because Darnestown Road is designated as a proposed Class II Bikeway the Applicant must provide a 4' dedicated bike lane within the MD 28 improvements according to Condition 8a. of the State Highway Administration.

Local Area Transportation Review

The proposed development was subject to a Local Area Transportation Review (LATR) during the review of the Preliminary Plan. An LATR study was submitted and MNCPPC Transportation Planning staff determined that the proposed development will not have an adverse impact on the surrounding roadway network and no intersection improvements are necessary.

There are, however, significant changes required by the State Highway Administration within the MD 28 right-of-way, including an extended deceleration lane, construction of handicap access ramps to the sidewalks, and the relocation of the sidewalk. The Applicant will complete these improvements according to the Conditions of Approval as shown on the Site Plan.

Compliance with Environmental Regulations

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) plan, number 420060450, was approved for the subject property on November 28, 2005. The final Forest Conservation Plan submitted with the Site Plan application complies with Section 22A of the Montgomery County Code and the MNCPPC Environmental Guidelines.

As previously mentioned, the proposed development includes a 1.02-acre conservation easement along the southwest property lines. This easement satisfies the necessary 0.91-acre afforestation requirement by planting 0.67 acres on-site and saving the critical root zones of six significant/specimen trees for an additional credit of 0.24 acres.

The site is in a Use I-P watershed, part of the Muddy Branch watershed, but there are no streams, wetlands, buffers, or forest on site. A noise analysis required by the preliminary plan was completed and the townhouses are far enough away from the road that no mitigation is required.

Local Review & Community Outreach

Appendices:

H. Letter from the City of Gaithersburg

I. Summary of Community Outreach from Winchester Homes

Due to the proximity of the site to the Kentlands Subdivision, the Preliminary Plan was reviewed by the City of Gaithersburg and the applicant has responded to their comments by providing handicap accessible sidewalks throughout the community and along MD 28, providing

dense plantings around the storm water management pond, and providing significant landscape screening along the property line abutting the Pleasant View Historic Site. In addition, the Site Plan has been submitted to the City of Gaithersburg for review.

Community outreach was originally initiated during the Application for Zoning Reclassification. With respect to the subject Site Plan, the initial pre-submission meeting was held on October 10, 2006; notice of application was sent to adjacent property owners and civic associations with a one-mile radius on December 21, 2006; the site was posted with the required sign on December 28, 2006; and, several subsequent meetings have been held with local residents and church representatives. The Applicant has summarized these meetings and other correspondence in the appended document and continues to work with the adjacent church and local community to address their concerns and questions. Foremost among these concerns was adequate physical separation and buffering between the adjacent sites and the proposed development. The applicant has addressed these concerns through fencing and landscaping.

FINDINGS: For Site Plan Review

1. *The site plan conforms to all binding elements of the schematic development plan, certified by the Hearing Examiner under Section 59-D-1.*

The proposed development is consistent with the approved Schematic Development Plan (SDA) and Zoning Application Opinion G-839:

- a. The proposed development meets the required development standards of the SDA as demonstrated in the Data Table on page 11.
- b. The proposed development meets the required building setbacks of 60 feet along the southwest property lines abutting the adjoining Lots 17, 47, 48, and 49 and provides the necessary forest conservation easement.
- c. The proposed development meets the required building setback of 40 feet from the Pleasant View Methodist Episcopal Church property.
- d. The proposed development has limited vehicular access to MD 28.
- e. All of the proposed townhouses, including MPDUs, will have brick façades.
- f. The Applicant agrees to the SDA requirements regarding the maintenance of the Forest Conservation Easement.
- g. The Applicant agrees to the SDA requirement regarding the maintenance of the existing privacy fence.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the RT-8 Zone as demonstrated in the project Data Table and discussion on page 11. The only differences between the requirements of the Approved Schematic Development Plan and the Subject Site Plan are a decrease in building coverage and a decrease in parking spaces. Both development standards comply with the requirements of the Zoning Ordinance.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Locations of Buildings and Structures

The buildings are situated in the only manner possible in order to maintain the on-site conservation easement, adequate drainage and storm water management, and the access from MD 28. Although a few units have less than perfect relationships to other buildings, the proposed development is under the density allowed by the zone and provides adequate space around all of the units for privacy and a sense of appropriate scale. As a whole and given the site constraints, the layout of buildings is adequate, safe, and efficient.

b. Open Spaces

The proposed development supplies green area over 60% of the site. Most of the on-site open space is provided between the townhouse units and the perimeter of the property; the conservation easement, drainage swales, and the storm water management pond take up much of this space. The backyards of each of the units, however, provide safe and adequate flat, usable space.

c. Landscaping and Lighting

The proposed landscaping on the site consists of a mix of shade, evergreen and flowering trees along the property lines to the north and southeast; abundant mixed plantings around the stormwater management pond; and internal street trees and foundation plantings. The shade provided by the street trees adjacent to the sidewalks and tot lot and the screening provided between the properties is an adequate and efficient use of resources to provide shade and beauty for the proposed and existing neighborhoods.

The lighting plan is a simple system of 14 pole-mounted fixtures along the internal streets. These fixtures have shields to reduce excess illumination on adjacent properties and will be installed on 12-foot poles, including the mounting base. While providing safe, adequate, and efficient lighting within the neighborhood, the illumination at all property lines is 0.5 footcandles or less.

d. Recreation Facilities

Recreation demand is satisfied as shown in the recreation calculations table on page 12. The proposed recreation facilities, including four sitting areas, a tot lot, and the internal pedestrian system, will allow neighbors to walk and relax within the site and enjoy time outside with young children. Given the size and other constraints of the site, these facilities are an adequate and efficient use of space. The tot lot is far enough away from the primary access drive while still visible being from much of the neighborhood to be inviting and safe.

e. Pedestrian and Vehicular Circulation Systems

The proposed vehicular access point to the site is provided from MD 28, which is the only option given the binding elements of the Approved Schematic

Development Plan. This access driveway runs straight back into the site with a spur running northwest one-half of the way back. Most of the parking is provided on the individual lots on driveways and in garages, but 18 visitor spaces are also spread throughout the site. MD 28 will be improved with a 250-foot deceleration lane and new sidewalk along the frontage of the Pleasant View Historic Site. To accomplish these changes, there will be a temporary easement for grading and construction on the property. The vehicular circulation system is efficiently laid out in relation to the site and the buildings and it is adequate and safe.

A four-foot wide on-road Class II bikeway runs along the frontage of the site, as does a five-foot concrete sidewalk that connects to the sidewalk in front of each adjacent property. This sidewalk also connects to the internal pedestrian system that runs in front of each of the townhouses and ties together the residences, the sitting areas, and the tot lot. The pedestrian system offers adequate and efficient connectivity and safety.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed structures are compatible with the adjacent townhouse development and are adequately buffered from the adjacent historic site, the one-family detached dwellings to the southwest, and confronting dwellings in the Kentlands subdivision. Even without the landscape and afforestation buffers, the scale, massing, and layout of the development is appropriate to the existing residential context. There are no other current proposed developments in the immediate area under review.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation , Chapter 19 regarding water resource protection, and any other applicable law.*

Under Forest Conservation Section 22A-12 of the Montgomery County Code properties must retain, plant, or mitigate up to a certain threshold (percentage) of forest. The applicant proposes to meet the 0.91-acre afforestation requirement by planting 0.67 acres on-site and saving the critical root zones of significant/specimen trees 11, 12, 16, 17, 18, and 20 within the afforestation area on-site totaling 0.24 acres of credit.

The site plan and accompanying Final Forest Conservation Plan, as amended by the Conditions of Approval, has been reviewed by Environmental Planning staff and complies with Section 22A of the Montgomery County Code and the MNCPPC Environmental Guidelines.

The stormwater management concept consists of on-site channel protection measures via a dry pond and on-site water quality control via grass swales and storm filters. Recharge is not required.

APPENDICES

- A. Comments from the Department of Housing and Community Affairs
- B. Memorandum from the State Highway Administration
- C. Memorandum from Environmental Planning
- D. Letter from the Department of Permitting Services
- E. Schematic Development Plan G839
- F. Opinion for Zoning Application G-839
- G. Preliminary Plan 120070270
- H. Letter from the City of Gaithersburg
- I. Summary of Community Outreach from Winchester Homes

DHCA Comments for 3/5/07 DRC

Quince Trace – 8200700800

- Single-family MPDUs must have at least 3 bedrooms (see Chapter 25A-5(b)(2), below).
- Note staging requirements of Chapter 25A-5(i) (below). In order to be in compliance, the first townhouse sticks that are built should contain at least one MPDU each.
- We would like to see a floorplan and elevations for the MPDU units.

Chapter 25A-5(i):

(i) The MPDU agreement must include the number, type, location, and plan for staging construction of all dwelling units and such other information as the Department requires to determine the applicant's compliance with this Chapter. The MPDU staging plan must be consistent with any applicable land use plan, subdivision plan, or site plan. The staging plan included in the MPDU agreement for all dwelling units must be sequenced so that:

- (1) MPDUs are built along with or before other dwelling units;
- (2) no or few market rate dwelling units are built before any MPDUs are built;
- (3) the pace of MPDU production must reasonably coincide with the construction of market rate units; and
- (4) the last building built must not contain only MPDUs.

This subsection applies to all developments, including any development covered by multiple preliminary plans of subdivision.

Chapter 25A-5:

(b) Any applicant, in order to obtain a building permit, must submit to the Department of Permitting Services, with the application for a permit, a written MPDU agreement approved by the Director and the County Attorney. Each agreement must require that:

- (1) a specific number of MPDUs must be constructed on an approved time schedule;
- (2) *in single-family dwelling unit subdivisions, each MPDU must have 3 or more bedrooms; and*
- (3) *in multi-family dwelling unit subdivisions, the number of efficiency and one- bedroom MPDUs each must not exceed the ratio that market-rate efficiency and one-bedroom units respectively bear to the total number of market-rate units in the subdivision.*

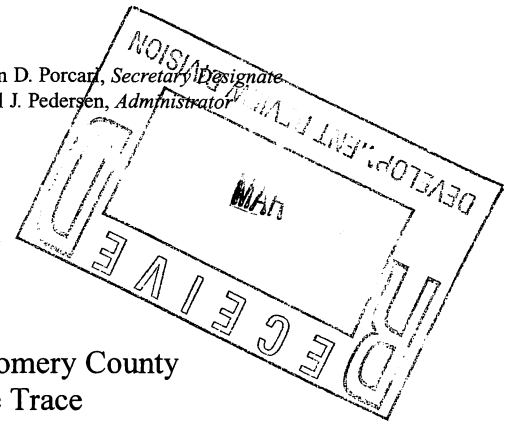
Appendix B. Memorandum from the State Highway Administration

Martin O'Malley, Governor
Anthony Brown, Lt. Governor



John D. Porcari, Secretary Designate
Neil J. Pedersen, Administrator

March 2, 2007



Ms. Catherine Conlon
Supervisor, Development Review
Subdivision Division
Maryland National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Montgomery County
Quince Trace
File # 8-20070080
MD 28 (south side)
Mile Post: 16.25

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the site plan application for the proposed 45-lot residential development. We offer the following comments:

SHA reviewed the Traffic Impact Study dated 10/11/06 and offered concurrence in our 1/16/07 letter to Mr. Shahriar Etemadi. We also offered comments on the proposed MD 28 access in this 1/16/07 letter. Only a few of our comments have been addressed by the applicant since 1/16/07. We offer the following comments:

- SSI's 1/5/07 sight distance evaluation worksheet is acceptable because it concludes that 575 feet of sight distance is available to the left of the proposed MD 28 entrance.
- The existing right-turn lane to Ambiance Way must be extended 250' beyond and west of the proposed MD 28 entrance. This deceleration/right-turn lane must be 12' wide with a 4' wide bicycle pocket lane. SHA will require submission of a separate pavement marking plan.
- Relocation of the existing sidewalk and grass panel is needed to accommodate these MD 28 improvements. ADA compliant/SHA standard sidewalk ramps will be required.
- The applicant must submit hydrologic and hydraulic computations that account for the required MD 28 improvements.
- All proposed and required work within MD 28 rights-of-way are subject to the terms and conditions of an access permit, which must be received from this office.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

Ms. Catherine Conlon
Page Two

If additional information is required from SHA, please contact Raymond Burns at 410-545-5592 or our toll free number in Maryland only 1-800-876-4742.

Very truly yours,


for

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb

cc: Winchester Homes, Inc./ 6905 Rockledge Drive, Suite 800, Bethesda, MD 20817
Site Solutions, Inc / 20410 Observation Dr, Suite 205, Germantown, MD 20876
Mr. Shahriar Etemadi \ M-NCPPC
Mr. Sam Farhadi \ MCDPWT
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*
Mr. Augustine Rebish *sent via e-mail*



**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Montgomery County Planning Department
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Cathy Conlon, Supervisor, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning

FROM: Josh Penn, Environmental Planning

DATE: April 25, 2007

SUBJECT: **Site Plan # 82007008 - Quince Trace**

The Environmental Planning staff has reviewed the preliminary plan referenced above. Staff recommends approval of the preliminary plan of subdivision and the preliminary forest conservation plan with the following conditions:

- 1) Compliance with the conditions of approval of the final forest conservation plan.
- 2) All planting areas and areas of Critical Root Zone protection to be used towards forest conservation credit must be placed into a category I conservation easement.
- 3) Submittal of cost estimate and financial security to M-NCPPC prior to clearing or grading.
- 4) Required site inspections by M-NCPPC enforcement staff per Section 110 of the Forest Conservation Regulations.
- 5) Maintenance and management agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.

DISCUSSION

The Quince Trace property is a 6.09-acre site east of the intersection of Quince Orchard Road and Darnestown Road. The site is in a Use I-P watershed. There are no streams or forest currently on-site. The property is zoned RT-8.

Environmental Guidelines

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #4-06045 for this site was approved on 11/28/2005. The NRI/FSD identifies the environmental constraints on the subject property and areas of forest. The 6.09-acre site has no streams, stream buffers or forest.

Forest Conservation

The applicant submitted a final forest conservation plan as part of the site plan. Under Forest Conservation Section 22A-12 of the Montgomery County Code properties must retain, plant, or mitigate up to a certain threshold (percentage) of forest. The applicant proposes to meet the 0.91-acre afforestation requirement by planting 0.67 acres on-site and saving the critical root zones of significant/specimen trees 11, 12, 16, 17, 18, and 20 within the afforestation area on-site totaling .24-acres of credit.

The final forest conservation plan complies with Section 22A of the Montgomery County Code and the M-NCPPC Environmental Guidelines.

SDF:JP:



Appendix D. Letter from the Department of Permitting Services



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

February 21, 2006

Robert C. Hubbard
Director

Mr. Michael Devine
Site Solutions, Inc.
19650 Club House Road, Suite 105
Gaithersburg, MD 20886-3039

Re: Stormwater Management **CONCEPT** Request
for Christian Life Center
SM File #: 222314
Tract Size/Zone: 6.09 acres/R-200
Total Concept Area: 6.09 acres
Lots/Block: lot 47
Parcel(s): N721/N667
Watershed: Muddy Branch

Dear Mr. Devine:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via a dry pond; on-site water quality control via grass swales and Stormfilters. Recharge is not required.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.



If you have any questions regarding these actions, please feel free to contact Nadine Vurdelja Piontka at 240-777-6334.

Sincerely,

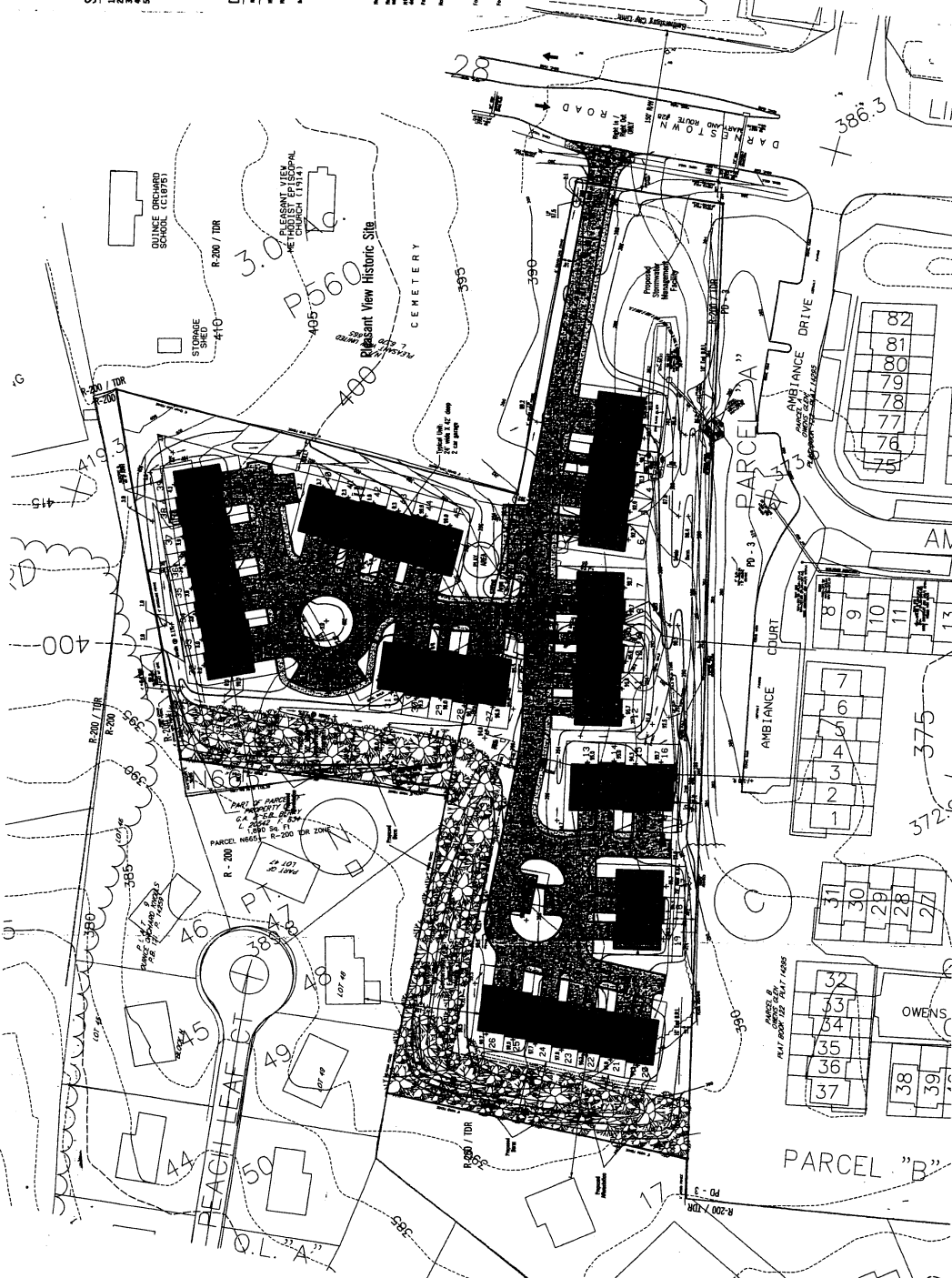


Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN222314

cc: C. Conlon
S. Federline
SM File # CN222314

QN -onsite; Acres: 6
QL - onsite; Acres: 6
Recharge is not provided



SITE DATA

Tract Area: 6.09 Acres
 Zoning: R-200 / TDR & R-200 (0.04 Ac.)
 Zoning: RT-8
 Number of Units Proposed: 45
 Provided:
 39 Market Units: 0 car garages = 2 in driveway, 1 in parking
 6 Mopeds: 0 car garages = 1 in driveway, 1 in parking
 23 additional spaces in parking bays
 Total = 191 Spaces (4.2 / unit)

DEVELOPMENT STANDARDS

[illegible]

Footnote 3: A building setback no less than 60 feet is to be provided along the southeast property lines abutting lots 17, 18 and 19. The setback shall be measured from the centerline of the proposed street construction easement to the setback as shown to further better existing single family homes on lots 17, 18, 19 and 20.

Footnote 4: Minimum proposed building setback from Pleasant View Methodist Episcopal Church property to be 40 feet.

General Notes

- [illegible]

OZAH CERTIFICATION
This is a true copy of
Schematic Development
(Exhibit 46(a)) approved
the District Council on July
for Application G-833

Date Aug. 14, 2006

G-839

SCHEMATIC DEVELOPMENT PLAN
CHRISTIAN LIFE CENTER PROPERTY
DARKESTOWN ELECTION DISTRICT #6
MONTGOMERY COUNTY, MARYLAND

1	Stability per study endorsed NC FTS & Bureau standards & scores 1 and 2	12/20/08
2	Uptake Green Print candidates in design standards	2/20/09
3	LEED design/program standards	2/20/09
4	Resilient to 65 mph, and loading standards	6/24/08
5		
6		

APPLICANT:

WINCHESTER HOMES, INC.
 6905 ROCKLEDGE DRIVE / SUITE 600
 BETHESDA, MD. 20817
 Attn: David Lyons

ISS

Appendix F. Opinion for Zoning Application G-839

Resolution No.: 15-1551
Introduced: July 18, 2006
Adopted: July 18, 2006

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Approval of Zoning Application G-839 for the reclassification from the R-200/TDR Zone and the R-200 Zone to the RT-8 Zone of 6.09 acres of land known as Parcels N-721 and N-677 and located at 11800 Darnestown Road, Gaithersburg, Maryland in the 6th Election District

Tax Account Nos. 02873384, 03005203

OPINION

Zoning Application No. G-839, filed on September 6, 2005, requests reclassification from the R-200/TDR and R-200 Zones to the R-T 8 Zone of 6.09 acres of land known as Parcels N-721 and N-667 and located at 11800 Darnestown Road, Gaithersburg, Maryland, in the 6th Election District.

The Hearing Examiner recommended approval of the Application on the basis that it satisfies the requirements of the purpose clause, that it provides a compatible form of development, that it conforms with the goals and objectives of the master plan, and that it is in the public interest. Technical Staff of the Maryland-National Capital Park and Planning Commission and the Montgomery County Planning Board provided similar recommendations. The District Council agrees with the recommendations of the Hearing Examiner, the Technical Staff and the Planning Board and adopts the findings of fact and conclusions set out in the Hearing Examiner's report and recommendation.

Resolution No.: 15-1551

The subject property is located along the south side of Maryland Route 28, also known as Darnestown Road, about 1,000 feet east of Tschiffely Square Road. The property is located at the northern tip of the emerging community of North Potomac. It lies directly south of the City of Gaithersburg. The property forms a "T" shaped parcel of 6.09 acres. The site possesses 135 feet of frontage along Route 28 and extends about 870 feet in depth.

The site has been used as the Christian Life Center since 1978. The Center consists of a large worship center, administrative offices and parking areas. This development creates about 75% impervious surface. The site's topography is relatively flat. Access to the site is by way of a single driveway from Route 28 with only right turn in and right turn out traffic movements permitted.

The 1958 Comprehensive Zoning applied the Rural-Residential (R-R) Zone to this area of the County and classified the property for half-acre residential density. In 1973 the R-R Zone was replaced by the R-200 Zone but left residential land uses and density essentially the same as under the previous zoning. This zoning was changed by comprehensive zoning in 1982 when the R-200/TDR Zone was applied to most of the site and permitted development of the site and adjacent properties at a density of about 3 dwellings per acre, provided the TDR option was applied and the land included at least 10 acres.

The property lies within an area governed by the recommendations of the Potomac Subregion Master Plan, approved and adopted in 2002. The 2002 master plan recommends the retention of the current zoning.

The District Council determines that the relevant surrounding area used for the evaluation of this Application is bounded by Quince Orchard Road on the west, a line about 700 feet north and parallel to Route 28 on the north, and the Orchard Knolls subdivision and Owen

Resolution No.: 15-1551

Glen Way to the south and east. The land use and zoning pattern of the area reflects a predominately residential character supplemented by institutional and commercial areas. The institutional uses include a library, fire station and several churches. The commercial uses include the Quince Orchard Commercial Center, a gas station and two special exceptions: a nursery and garden center and a medical and dental clinic. These uses are generally located along Quince Orchard Road or Route 28, which was recently upgraded to a major highway consisting of 4 lanes within a 150-foot right of way, divided by a median strip. The improved road contains left turn storage lanes and acceleration/deceleration lanes along the sides.

Residential uses are located east of the nursery. The Orchard Knolls residential community, which has access by way of Blackberry Drive, contains 150 homes. The east side of Blackberry Drive contains 67 townhouses that were built as a part of the Orchard Knolls subdivision. The remaining 83 units are single-family detached homes located on lots of about one-third of an acre on the average. The entire subdivision was planned and built under the R-200/TDR zone and reflects a density of 3 dwelling units per acre. A proposal to build an unspecified number of townhouses on the nursery site was denied in 2005.

The historic Pleasant View Methodist Episcopal Church, the Quince Orchard School and a cemetery abut the subject property to the north and west. Several single family detached homes abut the site to the west and south. These homes were developed under the R-200/TDR Zone. Bordering the site on the east are 134 townhouses developed under the PD-3 Zone at a density of 8.6 dwelling units per acre.

The Applicant proposes to build townhouses on the subject property under a schematic development plan that proposes 45 residential townhouses divided between 39 market

Resolution No.: 15-1551

bordered on one side by 134 townhouses developed at a density of 8.6 dwelling units per acre. The proposed development at a density of 6.4 dwelling per acre, not including MPDUs, is consistent with adjacent and nearby townhouses and other land uses in the surrounding area.

The District Council concludes that the proposed development is compatible with the surrounding area in terms of land use, density and site amenities. The Applicant will provide extensive setbacks, fencing, landscaping, conservation areas, environmental controls and reduced imperviousness.

The District Council determines that the proposed zoning promotes the public interest. The Potomac Sub-region Master Plan, adopted and approved in 2002, contains goals and objectives relating to smart growth, affordable housing and historic preservation that are supported by the proposed development. The proposed development will locate housing in an area of the County where adequate public facilities exist. The Application contains binding commitments to provide affordable housing and locate it on the site. The Application also provides setbacks and landscaping that will enhance the preservation of an existing and adjacent historic enclave. The Application provides for substantial reduction of impervious surface and better storm water management controls. Both the Planning Board and the Technical Staff support the Application as advancing County planning policies and objectives.

For these reasons and because to grant the Application would aid in the accomplishment of a coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District, the application will be granted in the manner set forth below.

Resolution No.: 15-1551

rate units and 6 moderately priced dwelling units (MPDUs). The proposal also reflects a total of 191 parking spaces for the site in garages, driveways and designated parking areas.

Amenities include a significant reduction of impervious surface from 75% to less than 40%, storm water management facilities for both water quality and quantity control, and binding setbacks. There is a 160-foot setback proposed from the northern boundary to accommodate a storm water facility and abate traffic noise. There is a 40-foot setback from the property line with the historic Pleasant View Methodist Episcopal Church and School property. About 20 feet of this setback area will be landscaped. Another 60-foot setback will be provided along the southern property line that will include a 50-foot forest and conservation strip of about one acre in size, and an additional 10-foot setback from five adjacent homes along Peach Lead Court within the Orchard Knolls subdivision.

The zoning issues concern whether or not the proposed reclassification complies with the purposes and requirements of the RT-8 Zone, whether the reclassification would provide a form of development that is compatible with existing and planned land uses in the surrounding area, and whether the reclassification is in the public interest.

The Application satisfies the development standards of the RT-8 Zone. The subject property exceeds the minimum tract area of 20,000 square feet. The density of 6.4 dwelling units per acre is within the density limit of 8.0 dwelling units per acre, not counting MPDUs. The building coverage, green area, and parking are all shown within specified limits of development and will be finally established at the site plan stage.

The District Council finds that the Application satisfies the requirements of the purpose clause for the RT-8 Zone, § 59-C-1.721 of the Zoning Ordinance. The subject property is appropriate for development at densities permitted under the RT-8 Zone because the property is

Resolution No.: 15-1551

ACTION

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, approves the following resolution.

Zoning Application No. G-839, which requests reclassification from the R-200/TDR and R-200 Zones to the RT-8 Zone of 6.09 acres of land known as Parcels N-721 and N-667, located at 11800 Darnestown Road, Gaithersburg, Maryland, in the 6th Election District, is granted in the amount requested and subject to the specifications and requirements of the Final Schematic Development Plan, Ex. 46(a); provided that the Applicant submits to the Hearing Examiner for certification a reproducible original and three copies of the Schematic Development Plan approved by the District Council within 10 days of approval.

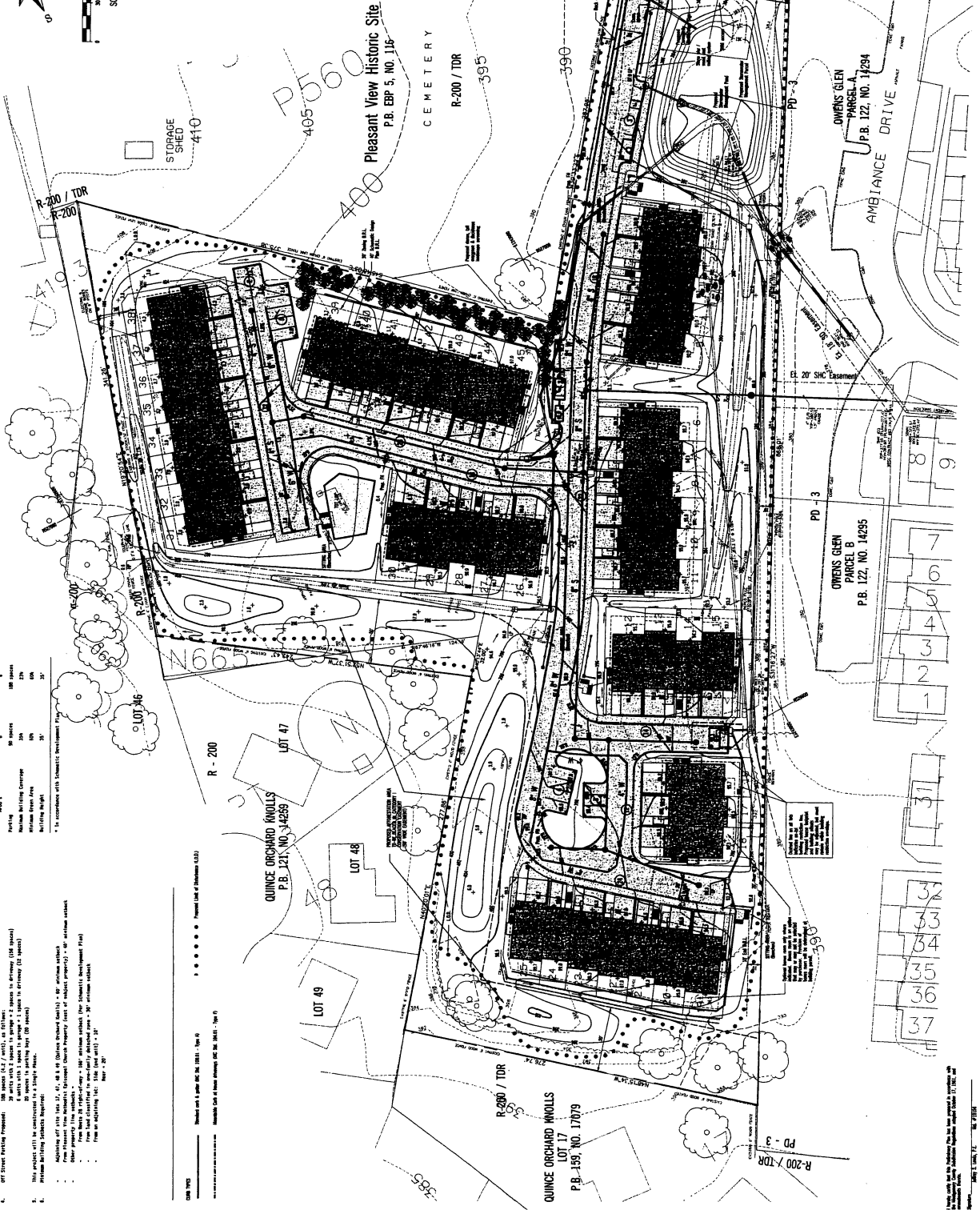
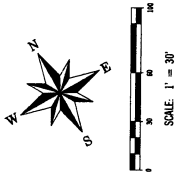
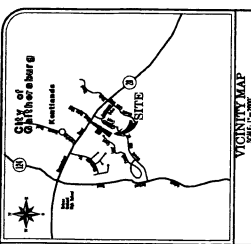
This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

[illegible]

STANDARD	ACQUIRED / PERMITTED	PERMITS
Tract Area	20,000 sq.ft.	6.00 Acres
Number of Units	40*	45
Market Rate	30	30
RENT %	6	6
Leasing	90 spaces	100 spaces
Maximum Building Coverage	30%	23%
Maximum Green Area	60%	60%
Building Height	35'	35'

[illegible]



Gaithersburg
A CHARACTER COUNTS! CITY

November 20, 2006

Mr. Royce Hanson, Chairman
Montgomery County Department of Park and Planning
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 2910-3760

RE: MNCPPC #120070270
Quince Trace

Dear Chairman Hanson:

The City of Gaithersburg Planning Commission reviewed a preliminary site plan for Quince Trace (MNCPPC #120070270) at its November 15, 2006 meeting. On behalf of the Planning Commission, City staff would like to forward the following recommendations regarding this plan for the record file:

1. Applicant should provide a minimum five (5) foot uninterrupted sidewalk on both sides of the streets to provide connectivity throughout the community.
2. Handicap accessible curb cuts are recommended in locations where street crossings by pedestrians are anticipated.
3. Sidewalk sections along Darnestown Road should match existing conditions.
4. Applicant should consider redesigning the seven off-lot parking spaces on the south end of the property as on-street parallel parking in order to consolidate open space into more usable space.
5. The Planning Commission also urges the applicant to provide additional landscaping at the entrance to the community in order to buffer the stormwater management pond from view along Darnestown Road and also to improve the entranceway to the community, as has been accomplished in many other community entrances along Darnestown Road.
6. Applicant should enhance landscaping/buffering between the project's north edge and the Pleasant View Historic Site to maintain the integrity of the historic resource.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitthersburgmd.gov • www.gaitthersburgmd.gov

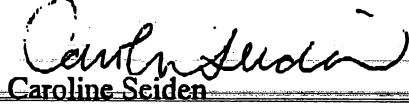
MAYOR
Sidney A. Kay

COUNCIL MEMBERS
Stanley I. Alsea
Catharine L. Elden
Henry I. Manafat, Jr.
John H. Schilling
Michael A. Sesma

CITY MANAGER
David B. Thompson

The Planning Commission would welcome the opportunity to comment further on this plan once a final site plan is submitted for approval. If you have any questions, please do not hesitate to call me at 301-258-6330.

Sincerely,



Caroline Seiden

Planner

Planning and Code Administration

cc: City of Gaithersburg Planning Commission
Alfred S. Blumberg, AICP, Site Solutions, Inc.
Rose Krasnow, Chief, Development Review, MNCPPC



6905 Rockledge Drive, Suite 800
Bethesda, Maryland 20817
Tel (301) 803-4800
Toll Free (800) 527-8558
Fax (301) 803-4900

PURPOSE:

Summary of Local Community Outreach
Sylke Knuppel, Development Manager, Winchester Homes Inc.

PROJECT:

Quince Trace Site Plan (Christian Life Center property)
Correspondence regarding Rezoning Application G-839 in separate summary, available if needed.

SUMMARY:

Listed and grouped by neighborhood group. As of today, we are actively working with the Potomac Valley community and Pleasant View Church regarding future improvements impacting their properties, required to construct this community.

Adjoining & Confronting Owners

- I initiated formal communication with a letter mailed out to all adjoining and confronting property owners notifying them of our proposed Site Plan and inviting them to a Public meeting held on October 10, 2006 at 7pm at Quince Orchard High School. Our development team consisting of Al Blumberg (Certified Planner with Site Solutions), Stacy Silber (Holland & Knight) and myself completed a presentation on the project and answered questions from the attendees. A sign-in list of attendees is available if needed.

Mr. Michael Shankman (Letter received by Planning Board)

- Met with Mr. Shankman at his residence on 3/30/07 to discuss his letter dated 3/8/07 to the Planning Board, and specifically his concerns regarding the proposed bonus room options that are offered on our homes. We discussed the bonus rooms, and in detail the bonus room size and depth (8 feet). Therefore, the difference from his perspective will be approximately a 102 feet distance between his residence and our proposed units instead of a 110 foot difference as originally shown on the Schematic Development Plan. He was comfortable with this information, and was appreciative for the explanation.

Potomac Valley Community (Including Alan Migdall who sent an e-mail to the Planning Board regarding our Preliminary Plan)

- Met with Michael Potter of MTM Management Company (HOA Management Company for Potomac Valley) on 9/26/06 to discuss two existing easements located on Potomac Valley property that Winchester Homes anticipated our project will need to utilize in order to install the sanitary sewer system and storm water management systems to serve the 45 proposed town houses. He recommended I contact the President of the HOA Board, Gail Shank.
- Contacted Mrs. Shank on 10/3/06 requesting a meeting to share with her information on our proposed project and begin a discussion of the anticipated improvements.
- Met with the Potomac Valley HOA Board on October 24, 2006 to share our proposed Site plan and explain what general improvements Winchester expected to make to sanitary sewer and stormwater management systems and how those improvements could

potentially impact their property. The HOA Board was cordial and shared concerns that they had regarding our community as well. We agreed to meet again and I would bring sample easement documents as well as an enhanced landscaping plan for the area between our properties.

- Planned to attend a full HOA meeting in December that was cancelled due to weather.
- Met with HOA Board on 3/21/07, including a few new members including Alan Migdall. Presented to the Board an enhanced landscape plan for the area between our properties, as well as a Cooperation Agreement that both parties would agree to cooperate on the sanitary sewer and storm water improvements expected. Based on concerns raised, we are proposing a split rail fence to run along our adjacent property line. This will discourage our homeowners and visitors from utilizing the visitor parking located adjacent to our property. There is very limited visitor parking in the Potomac Valley community so this is a major concern.
- Attended a Potomac Valley HOA community meeting to present our proposed Site plan and discuss the improvements we will need to complete that impact their project.
- Even though there is no written agreement as of yet, Winchester Homes has included a proposed fence on Site Plan between communities in good faith effort to address HOA Board and community concerns.
- Winchester Homes will be continuing communications with the Potomac Valley community regarding proposed improvements.

Pleasant View Church

- A representative of the Church attended the Public Meeting held on 10/10/06.
- Contacted Chuck Thompson, contact for Church Board, in response to SHA comment regarding extension of deceleration lane along Route 28. Mailed a color-coded copy of the proposed improvement plan with Mr. Thompson, showing requirement for the reconstruction of the Church's driveway, public use easements and temporary grading easements along a portion of their frontage. Received written confirmation from the Church on April 25, 2007 that the proposed improvements are acceptable.
- Winchester Homes will be continuing communications with the Church to have required easements granted for improvements along their frontage.

City of Gaithersburg

- A representative of the City of Gaithersburg attended the Public Meeting held on 10/10/06, Mr. Greg Ossont.
- The City of Gaithersburg Planning Commission held a Public Meeting on 11/15/06 at which the Planning Staff discussed our proposed plan and provided courtesy comments dated 11/20/06 on our community design. Winchester was not given the opportunity to respond at the meeting to questions and comments raised.
- A response letter was sent to Ms. Carol Seiden with City Planning on 12/21/06 responding to all comments, with a copy sent to MNCPPC Staff.